



LEGISLATIVE UPDATE 2019

Brian L. Halstead
Deputy Commissioner

106th Legislature First Session

- Convened on January 9, 2019 for 90-day (long) session
- Adjourned Sine Die May 31, 2019 (84th legislative day)
- Enacted bills become law on September 1, 2019*

106th Legislature Leadership

Speaker – Jim Scheer (7th year)

Appropriations Chair – John Stinner (5th year)

Education Chair – Mike Groene (5th year)

Government Chair – Tom Brewer (3rd year)

Health & Human Services Chair – Sara Howard (7th year)

Retirement Chair – Mark Kolterman (5th year)

Revenue Chair – Lou Ann Linehan (3rd year)

*6 members term limited when 106th Legislature ends
(Bolz, Chambers, Crawford, Howard, Kolowski, Scheer)

106th Legislature

Education Committee Members

Chair – Mike Groene (5th year)

Vice Chair – Lynn Walz (3rd year)

Rick Kolowski (7th year)

Adam Morfeld (5th year)

Patty Pansing Brooks (5th year)

Tom Brewer (3rd year)

Lou Ann Linehan (3rd year)

Dave Murman (1st year)

State Budget for Education Aid FY19-21

TEEOSA

- FY19-20 \$65 million increase to \$1.065B
- FY20-21 \$6 million increase to \$1.072B

State SPED

- Approximately \$2 million increase each fiscal year
- FY19-20 \$229 million; FY20-21 \$231 million

ESU Core services & infrastructure technology funding

- FY 19-20 \$256,000 increase to \$13.07 million
- FY 20-21 \$260,000 increase to \$13.33 million

Retirement Bills Enacted

- **LB 31e** – Work plan, recommendations, cost estimates, and cost comparisons regarding ***transfer of management*** of Class V Retirement System to Public Employees Retirement no later than June 30, 2020
- **LB 34e** – Amends school employees and Class V school employees retirement systems to provide designated beneficiaries for certain situations

Property Tax Requests

- **LB 103e** amends Section 77-1601.02 to provide that additional information needed for Notice of Special Hearing, and for Resolution the boards for school districts and educational service units have to adopt

Enrollment of Children of Military Families

LB 115 amended Section 79-215(7)

- Strikes language for “open enrollment” that no longer exists
- Provides that in order to carry out the provisions of the Interstate Compact on the Educational Opportunity for Military Children under §79-2201, a school board shall permit children of military families to enroll preliminarily in the school district if a parent presents evidence of military orders that the family will be stationed in Nebraska during the current or following school year
- Child shall be admitted upon arrival if the child meets the requirements of Section 79-215
- Revisions of Rule 19 to be adopted State Board

Local Option Municipal Economic Development Act

- **LB 160** amended Sections 18-2705 & 18-2709 to provide that cities of the first class, cities of the second class, and villages may include grants, loans, or funds for early childhood infrastructure development.

School Resource Officers & Security Guards

LB 390 requires the NDE to develop a model memorandum of understanding (MOU) by December 1, 2019, for use of school resource officers (SRO) or security guards (SG).

- Model MOU to include: At least 20 hours of training for SRO/SG as detailed; 20 hours of training as detailed also required for a least 1 administrator in each elementary or secondary school SRO/SG is assigned
- MOU with school district required for SRO/SG on and after January 1, 2021
- Superintendent required w/in 3 months after adoption of MOU to either file MOU with the NDE or publicly post on school district website

Americanism Committee Revised

LB 399 amended Sections 79-724 & 79-727

- Section 79-724 first enacted in 1949
- School boards at beginning of each calendar year shall appoint three members to committee on American civics
 - Committee required to hold 2 meetings annually with at least 1 where accepts public testimony
- Updated statutory requirements of public, private, parochial, and denominational schools in subsections 4, 5, & 6 of section 79-724
- Section 79-727 amended to remove criminal penalty
 - Now requires State Board to adopt rules and regulations
 - NDE shall ensure social studies and character education statutes are carried out by school districts

Conflict of Interest

LB 411- Amends numerous sections of statute dealing with county government, et al.

Amends Section 49-1499.03 dealing with conflict of interest (COI) under Accountability & Disclosure Act

- Person in an elective office is no longer prevented from participating in the decision-making process if person's participation is legally required for decision to be made or if COI is based on business association that is an association of local governments, the local government in question is a member of that association, and the association only exists because of the potential COI holding elective office.

Annual “Clean Up” Legislation

LB 675e provisions:

- Amended Section 79-515 that school boards may enter into contracts not to exceed seven (7) years for provision of utility services, refuse disposal, transportation services, maintenance services, financial services, insurance, security services, and instructional materials, supplies, and equipment
- Amended numerous sections of the Nebraska Special Education Act to eliminate outdated language and harmonize language with federal law
- Updated language in Sections 79-1302 & 79-1304 for Education Technology Center at the NDE

Annual “Clean Up” (cont.)

LB 675e provisions:

- Amended Section 77-3446 to provide that base limitation for school fiscal year 2019-20 would be two (2) percent
 - 81 school districts to receive equalization aid – up from 69 school districts in 2018-19
- Outright repeals Section 79-527 that required drop-out report as data can now be collected through ADVISER

Interim Studies

Education Committee

[LR63](#) (Sen. Linehan) **Education** - Interim study to examine educational service units

[LR151](#) (Sen. Groene) **Education** - Interim study to examine the financing of public education and develop recommendations for improving school funding

[LR152](#) (Sen. Groene) **Education** - Interim study to examine issues under the jurisdiction of the Education Committee

[LR153](#) (Sen. Groene) **Education** - Interim study to examine the administrative costs of local systems and school districts

[LR157](#) (Sen. DeBoer) **Education** - Interim study to conduct an in depth review of the financing of the public elementary and secondary schools

[LR208](#) (Sen. Pansing Brooks) **Education** - Interim study to examine state and school district policies that relate to maintaining a safe and positive school learning environment

[LR214](#) (Sen. Wishart) **Education** - Interim study to examine issues that surround the engagement, attraction, and retention of youth in Nebraska

[LR242](#) (State-Tribal Relations Committee) **Education** - Interim study to examine the replacement of Native American mascots in Nebraska at nontribal schools

Interim (cont.)

Revenue Committee continues work on property tax relief and school funding that generated **LB 289**

Economic Forecast Board meets again on October 24, 2019, to update to state revenues for biennium budget

Second session of 106th Legislature convenes on January 8, 2020

Guidance on Use of Sunscreen in Schools

The Commissioner has issued guidance on the use of sunscreen in Nebraska Schools

- Schools should allow children to possess and use sunscreen at school

- Storage of sunscreen at a site easily accessible for the student

- Schools should have policies where parents can opt out of their children being able to use sunscreen



THANK YOU

See you at Administrators' Days next year?